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2004 APR 22 PM 12:51  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DON H. TURNBULL,	)	CASE NO. 1:04 CV 392
	)	
Plaintiff,	)	
	)	
v.	)	JUDGE DONALD C. NUGENT
	)	
TOM RIDGE, Secretary of the	)	
Department of Homeland Security, et al.,	)	
	)	
Defendant.	)	<u>ORDER</u>

This matter came before the Court upon Petitioner's Motion to Return Petitioner To The United States, And Restore His Status *Nunc Pro Tunc*, Pending The Resolution Of These Proceedings. The Court, having considered arguments of Counsel for the Parties, finds that the Respondents knowingly, willfully and surreptitiously deported Petitioner from the United States in direct contravention of the representations made to this Court, and to counsel for Petitioner, by the Respondents. Further, Respondents' actions in deporting Petitioner were in direct violation of this Court's express Stay Order issued on April 16, 2004 at 10:19 a.m.

For the foregoing reasons and in the interests of justice, Petitioner's Motion is GRANTED and, the Court orders Respondents to forthwith return Petitioner from Jamaica to the

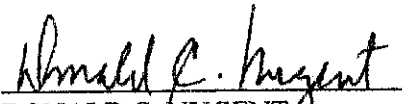
United States and to the Northern District of Ohio as soon as possible and without undue delay.

The Court further restores Petitioner's status *nunc pro tunc* pending resolution of these proceedings. Petitioner's release status is to be determined by the Court after a full hearing.

Respondents shall file a status report on or before April 30, 2004 detailing efforts to execute this Order.

Failure to execute this Order in a timely manner may result in appropriate sanctions.

IT IS SO ORDERED.

  
DONALD C. NUGENT  
United States District Judge

DATED: April 22, 2004